

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-124043-001 DT

10/01/2010

HON. SALLY S. DUNCAN

CLERK OF THE COURT
M. Cabral
Deputy

STATE OF ARIZONA

KRISTEN E HOFFMEYER

v.

ROBERT HERNANDEZ (001)

RODRICK S CARTER
STEPHEN M JOHNSON

CAPITAL CASE MANAGER
VICTIM SERVICES DIV-CA-CCC

MINUTE ENTRY

9:03 a.m. This is the time set for Capital Case Trial Management Conference.

State's Attorney:	Kristen Hoffmeyer
Defendant's Attorney:	Rodrick Carter (1 st chair)
Defendant's Attorney:	Stephen Johnson (2 nd chair)
Defendant:	Present
Court Reporter:	Scott Kindle

Discussion is held re: Defendant's Pro Per Motion to Dismiss Counsel and to Appoint Different Counsel.

Based on the discussions held and for the reasons stated on the record,

IT IS ORDERED denying Defendant's Pro Per Motion to Dismiss Counsel and to Appoint Different Counsel.

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IT IS FURTHER ORDERED that first and second chair counsel and the mitigation specialist shall meet and confer with Defendant on or before October 5, 2010.

Discussion is held re: Defendant's Dessureault Motion/Motion to Preclude.

IT IS ORDERED setting Evidentiary Hearing on **October 5, 2010 at 1:30 p.m.** in this division.

Discussion is held re: Defendant's Request for a *Chronis* Hearing.

IT IS ORDERED setting *Chronis* Hearing on **October 21, 2010 at 1:30 p.m.** in this division.

Discussion is held re: State's Motion for Evidentiary Hearing Regarding Admissibility of Dr. Wu's Testimony and State's Supplemental Motion for Evidentiary Hearing Regarding Admissibility of Dr. Wu's Testimony.

Based on the discussions held,

IT IS ORDERED that the Defense shall file a Response to the above-mentioned motion.

IT IS FURTHER ORDERED setting Evidentiary Hearing on **October 5, 2010 at 1:30 p.m.** in this division.

Discussion is held re: outstanding discovery.

9:29 a.m. LET THE RECORD REFLECT that the Court telephonically contacts Dr. Gomez in open court and leaves a message with Dr. Gomez regarding disclosing the raw data to counsel.

IT IS ORDERED that Dr. Gomez shall disclose all raw data on or before noon on October 4, 2010. Failure to comply with the Court's order may result in the Court setting an Order to Show Cause Hearing.

9:33 a.m. LET THE RECORD REFLECT that the Court telephonically contacts Dr. Wu in open court and leaves a message with Dr. Wu regarding disclosing the raw data to counsel.

IT IS ORDERED that Dr. Wu shall disclose all raw data on or before noon on October 4, 2010. Failure to comply with the Court's order may result in the Court setting an Order to Show Cause Hearing.

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Discussion is held re: preliminary jury instructions.

All counsel indicate that the preliminary jury instructions are approved to as to form.

Pursuant to stipulation, the Rule of Exclusion of Witnesses is invoked.

Discussion is held re: State's Request for 609 Hearing.

Pursuant to stipulation,

IT IS ORDERED that the State may use as evidence a sanitized version of Defendant's prior felony conviction(s) for impeachment purposes in the event the Defendant testifies.

IT IS FURTHER ORDERED affirming prior custody orders.

LAST DAY REMAINS: 12/07/2010

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

9:36 a.m. Matter concludes.